

U.S. Department of Commerce
Bureau of Export Administration
Sensors and Instrumentation Technical Advisory Committee

Washington, DC
February 13, 2001

The Sensors and Instrumentation Technical Advisory Committee (SITAC) meeting was held at the Department of Commerce in Room 3884 from 9:30 am to 1:00 pm. The meeting began with a brief introduction of the attendees.

The SITAC Co-Chairman, Stan Kummer, reviewed the agenda for the meeting.

Stan Kummer noted the improved conditions being placed on IR camera licenses coming from the Operating Committee. The new conditions reflected industry's desire to reduce the number and ambiguity of conditions that had been originally developed by DoD. Stan Kummer asked the Operating Committee Chair, Carol Kalinoski, how to address any future improvements or modifications to the standard conditions or for case specific ones. She stated that when a case gets referred to the Operating Committee, the applicant may contact either her staff or the licensing officer to bring attention to the issue. She added that when a case has not been elevated to the OC, it was then appropriate to discuss the issue with the licensing officer to determine whether or not the case needs to be elevated. Her position was affirmed by both Hector Rivera and Brian Nilsson.

Don Weadon, Esq. added that many of the conditions were ~~A~~word processed and not thought processed. He suggested that we need to have a standard where we can write conditions efficiently. He pointed out that some conditions being placed on licenses are not anything that the consignee must agree to (i.e. software source code is ITAR, camera must be shipped with a lens,...) and that it is not appropriate to burden the consignee with such information. He suggested that the SITAC should come up with standard language for Category 6 licenses as well as take a look at language being placed on licenses being issued from the State Department and from foreign governments.

Dr. Gabe Fulop is organizing a roundtable discussion at the SPIE Conference in Orlando, Florida in April 16th at 7:30 pm on international exportability of uncooled infrared sensors with emphasis on the application of international controls. Representatives from at least four major countries that produce IR cameras will be participating in this discussion.

Mr. Kummer asked Mr. Brian Nilsson to discuss the results of last year's interagency briefing in April as well as the follow-up November Industry/Commerce meeting. Both were held at the Department of Commerce and ended with Mr. Majak's intention of elevating these disputed CJs to the White House for resolution. Mr. Nilsson explained that Space Qualified and Night Vision position papers went to the NSC in late September and late December respectively. The Department of Commerce received notification on Jan 22nd that the Space Qualified paper made it to Sandy Berger's desk and that the Night Vision paper did not. Sandy Berger did not have time to review it before he left office. Mr.

Nilsson indicated that the Department of Commerce is still working this issue with the NSC and the paper submitted remains valid.

Brian Nilsson mentioned that with the change in Administration there has been a restructuring of the NSC. Specifically he mentioned that the NSC office addressing the jurisdiction issues has changed its title to Export Controls, Nonproliferation, and Homeland Defense. Brian identified himself as the point person at the Department of Commerce for any issues relating the Space Qualified and Night Vision papers pending with the NSC.

Mr Nilsson then discussed the leadership transition at the Department of Commerce. Bill Reinsch is still acting as Under Secretary for the Bureau of Export Administration (BXA). This is only temporary until a replacement has been identified. In addition, Mr. Scott Bunton was identified as the Deputy Under Secretary for BXA. Matt Boreman was identified as the new Deputy Assistant Secretary for BXA. Mr. Nilsson also explained that he is acting Director of the Office of Strategic Trade and Foreign Policy Controls and that BXA was trying to fill his spot, despite the Department-wide hiring freeze.

Mr. Dan Glucksman of the International Safety Equipment Association (ISEA) gave a brief presentation. He described the ISEA organization as being a group of safety equipment manufacturers. He provided several examples of products that their members have been involved in manufacturing. One member of their group, Bullard, developed a type of hard hat used when the Golden Gate Bridge was being constructed. Another example involved mounting electric lights onto hard hats so that miners in Pennsylvania could avoid dangerous explosions that resulted when methane gas reacted with the heat of candles that were frequently used by miners to provide light. These types of companies have also been involved in developing thermal imaging cameras for firefighting applications. ISEA is considering offering a Foreign Availability Assessment Study to the SITAC as a means of improving export controls on uncooled thermal firefighting systems for US manufacturers. ISEA believes that uncooled firefighting systems will be produced by SOFRADIR, a French company, in the next 12 to 18 months. The ISEA also believes that foreign companies seem to have an unfair advantage over their U.S. competition when it comes to exports of thermal imaging systems. ISEA believes that thermal imaging systems use, in addition to focal plane arrays, electronics, optics, and processors. Foreign companies like Sony, NEC, and Mitsubishi are experts in systems integration, as well as manufacturing and design, and would need minimal support to enter into the fire fighting market, which is expected to grow rapidly in the coming years. ISEA needs U.S. government support if its constituency is to compete against such electronics giants.

Don Weadon asked that the 1992 Memorandum of Understanding (MOU) be discussed and released to the entire SITAC committee as he believes that it should be unclassified. Brian Nilsson responded that the National Security Directive 53 was declassified but this did not declassify the MOU. The Department of State declined to declassify the MOU but stated that the document could be revealed in the closed session.

Bob Garner suggested that night vision equipment is different from other IR imaging systems such as fire fighting equipment. This distinction should be presented to the other licensing agencies through the

SITAC to get support for rewriting the CCL. Joe Omaggio, DTRA, responded that there is significant military utility to systems, including those designed for fire fighting.

There was some discussion concerning Wassenaar related matters. Specifically, exporters wanted to know if foreign governments can implement Wassenaar changes faster than the US and if that would put exporters at a competitive disadvantage. Mr. Nilsson, Hector Rivera and other DoC personnel responded that it generally takes the US and the Wassenaar members similar time to issue regulation changes. Bill Wells mentioned that there were some laser proposals from the US that are significant to the industry and that would be discussed later in the closed session.

The open session was adjourned.